

MINUTES

UTAH PSYCHOLOGY LICENSING BOARD MEETING

October 3, 2006

**Room 402 (formerly 428) – 4th Floor – 9:00 A.M.
Heber Wells Building**

CONVENED: 9:07 A.M.

ADJOURNED: 12:50 P.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

John F. Merryweather, PhD
Lori G. Buhler
Leonard J. Haas, PhD, Chairperson
Natalie J. Malovich, PhD

Board Members Absent:

Bruce N. Carpenter, PhD

Guests:

Craig Jackson, Division Director
Cheryl Rudy, Division Licensing Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Read and approve the July 10, 2006 Minutes.

Dr. Merryweather made a motion to approve the minutes as read. Ms. Buhler seconded the motion.
The Board vote was unanimous.

BUSINESS FROM PREVIOUS MEETING:

Report from Dr. Merryweather regarding meeting with the Association to discuss Law changes

Dr. Merryweather deferred his discussion to later today when Nanci Klein meets.

Report from Dr. Malovich regarding any additional information from the Association regarding short-term emergency practice

Dr. Malovich stated that there was nothing to report from the Association meeting.

APPOINTMENTS:

10:00 A.M.

Dr. Mickey Fuller, Discussion regarding a plan of study for the EPPP Examination

Ms. Taxin stated that Dr. Fuller called to notify the Division that he will be unavailable to meet today due to a change of employment.

Ms. Taxin stated that Dr. Fuller commented that he checked the outline of a class that is designed to assist people in passing the EPPP and was of the opinion that the class would not be beneficial.

Ms. Taxin stated that Dr. Fuller requested suggestions from the Board and requested he be rescheduled for an appointment for the next scheduled Board meeting.

Dr. Haas read the Rule regarding an applicant failing the EPPP 3 times, R156-61-302(c)(4), an applicant failing 3 times cannot be approved again until they have met with the board and determined a course of study.

He stated that there are courses designed to assist in taking the examination and Dr. Fuller should present to the Board a plan of courses he plans to take to help him with the examination.

Ms. Taxin commented that it appears that Dr. Fuller does not sit for the EPPP often enough to help him with the next exam.

Dr. Haas responded that taking relevant courses, a study group, a study partner and the formal preparation course would be helpful for Dr. Fuller. He stated that Dr. Fuller would also gain helpful information by studying his psychology textbooks.

Ms. Taxin commented that contact with other Psychologists would also be helpful to Dr. Fuller.

Dr. Malovich agreed and supported the idea of peer review and help.

Dr. Merryweather recommended Dr. Fuller be scheduled to meet with the Board at the January 2007 meeting. He requested the Division contact

Dr. Fuller regarding the recommendation of taking the specified courses and have a list of reading material prepared for the Board to review. Dr. Merryweather requested the Division to suggest Dr. Fuller have the reading material completed when he meets with the Board.

10:20 A.M.

Michael Bjornson, Probationary Interview

Dr. Bjornson met for his probationary interview.

Dr. Merryweather conducted the interview.

Dr. Merryweather informed Dr. Bjornson that he has documented completion of 14 of the required 24 hours of continuing education. He asked Dr. Bjornson if he has completed any additional hours.

Dr. Bjornson responded that he has completed another course and 6 of the hours were in ethics and how to work with difficult clients. He requested the Board to consider crediting some of the hours toward the requirement.

Ms. Taxin requested Dr. Bjornson to explain how his CE related to ethics and what he learned.

Dr. Bjornson responded that there was discussion on boundaries, confidentiality and client and dual relationships. He stated that ethics was interwoven throughout the day.

Dr. Merryweather read the 8 listed topics and commented that only one topic says ethics.

Dr. Merryweather made a motion to accept 2 hours of the seminar for the required CE. Dr. Malovich seconded the motion. The Board vote was unanimous.

Dr. Malovich stated that Dr. Bjornson now has 8 hours to complete.

Ms. Taxin recommended Dr. Bjornson complete the full remaining 8 hours in ethics only. Ms. Taxin suggest Dr. Bjornson review the ASWB website at www.aswb.org regarding CE as they have ethics courses listed.

Ms. Buhler asked if he will be able to complete the CE by November as required in the Stipulation and Order.

Ms. Taxin stated that by November Dr. Bjornson should send her an outline of anything he is planning to take and then have it completed by the January 2007 Board meeting.

Dr. Bjornson responded that the local Utah NASW is having an educational series for CE. He asked if anything that deals with difficult clients and issues and is teaching and training him to improve his clinical skills is a possibility.

Dr. Merryweather and Dr. Haas reviewed the Utah NASW brochure. Dr. Haas responded that it is difficult to determine appropriateness based on the description. He stated that it does not appear to meet the requirement of ethics. Dr. Merryweather suggested Dr. Bjornson obtain a syllabus for Ms. Taxin to review.

Ms. Taxin suggested Dr. Bjornson contact Dr. Miller at the Utah NASW and explain that he needs 8 hours in ethics and then ask if this course will meet the requirement. Ms. Taxin stated that Dr. Miller may e-mail her to confirm the course meets the requirements.

Dr. Malovich suggested Dr. Bjornson contact the Idaho and Wyoming Associations as they usually provide ethics reviews each year.

Dr. Haas commented that Dr. Maas and Dr. Szykula have submitted their reports. Dr. Haas asked if Dr. Bjornson is continuing the audio taping of female clients.

Dr. Bjornson responded that he is still audio taping all female clients. He stated that he has shared the idea of audio taping sessions in some of the ethics courses he has taken. He stated that he will continue to audio tape sessions and no one has had a problem with the recording. Dr. Bjornson stated that each client signs a consent form after they have read the information.

Ms. Taxin asked how many of the audio tapes Dr. Szykula has reviewed.

Dr. Bjornson responded that Dr. Szykula reviews weekly and if there are any questions Dr. Szykula will listen to the whole session. He stated that if there are no questions then one or two is reviewed.

Dr. Bjornson stated that Dr. Szykula is a task master and wants an agenda developed for each day. He stated that the process has made him have his sessions more structured. Dr. Bjornson stated that Dr. Szykula also requires him to be more detailed and complete his reports and evaluations in a timelier manner.

He stated that he is still working 3 days a week in Salt Lake City. Dr. Bjornson stated that during the summer he worked with more kids but the mix is spread out to be about 50% male and female from age 6 to 93 years old. He stated that the bulk of his clients are Medicare. Dr. Bjornson stated that Dr. Szykula set the goal for him to work 100 hours a month and he has met that goal every month.

Ms. Taxin asked if any boundary issues or potential boundary issues have come up in his sessions.

Dr. Bjornson responded that there was a client about a month ago that raised a strong concern on his radar screen. He stated that he discussed the situation with Dr. Szykula and they decided Dr. Bjornson should monitor and pay attention to the client's issues.

Dr. Haas asked Dr. Bjornson to explain what is meant by his radar screen.

Dr. Bjornson explained that any personal discussion is addressed right at the start. He stated that he pays more attention and watches closely when anything personal comes up. Dr. Bjornson stated that he now has Dr. Szykula and others to talk to about issues and would now seek additional professionals to talk with if Dr. Szykula was not available. He stated that he is now more tuned into potential problems.

Dr. Merryweather commented that Dr. Bjornson is

in compliance with his Stipulation and Order.

An appointment was made for Dr. Bjornson to meet again in January 2007.

10:40 A.M.

Elizabeth Firth, Telephonic Probationary
Interview

Dr. Firth met for her telephonic probationary
interview.

Ms. Taxin notified Dr. Firth that Dr. Malovich will
conduct the interview.

Dr. Malovich requested Dr. Firth to bring the Board up to date on where she is working and what she is doing.

Dr. Firth responded that she meets weekly with her therapist and the therapist should be submitting the monthly reports. She stated that her therapist has her working on boundaries and charting as she does charting for court hearings. Dr. Firth stated that she has completed the CE requirement for the 2004 to 2006 licensing renewal cycle and is now concentrating on completing the CE required by the Stipulation and Order. She stated that she is taking the 2 classes she submitted the information on. She stated that when these courses are completed she will have an additional 12 hours which will leave 2 hours to complete the requirement. Dr. Firth requested approval for an internet course for the last 2 hours.

Ms. Taxin suggested the Board accept the option of Dr. Firth meeting an extra 2 hours with her therapist to discuss ethical issues with the therapist documenting the time and discussion for the Board to review.

Dr. Firth commented that she does meet weekly with the therapist and they do talk about ethical issues and ethics in her job.

Dr. Malovich responded that some therapy sessions are devoted to the discussion of ethics.

Ms. Taxin stated that the therapist would have to write a separate report regarding the ethics.

Dr. Malovich asked if Dr. Firth is currently looking for employment in psychology.

Dr. Firth responded that she is taking some of the classes California requires for California licensure. She stated that she has not yet completed all the requirements to be licensed.

Dr. Malovich stated that the MMPI report was received and commended Dr. Firth on putting thought into writing a detailed report.

Ms. Taxin commented that Dr. Firth is not working off her probationary time as she is not employed in the field of psychology but she is completing the additional requirements. Ms. Taxin stated that she and the Board will look for the CE information and the monthly reports. She requested Dr. Firth to notify her once she receives the California license and the probationary time will then start counting.

Dr. Malovich recommended Dr. Firth meet telephonically in January 2007.

Ms. Taxin stated that if Dr. Firth is working as a Psychologist in January she should meet in person with the Board, but if she is not working in the field we will conduct another telephonic appointment.

Dr. Malovich concluded that Dr. Firth is in compliance as much as she can be at this time while not working in the profession.

11:00 A.M.

Dr. Nanci Klein, Director for Professional Affairs for Utah Psychological Association

Dr. Klein and Dr. Chris Wehl will be discussing sequencing of training for Psychologists who wish to be licensed in Utah.

Dr. Klein thanked the Board for the opportunity to discuss language for a change in the Psychology Law prior to the 2007 Legislative session.

Dr. Klein distributed a copy of the proposed Law and stated that the change is to be in line with the National information as APA passed this language in 2006.

The Board reviewed the proposed change and

noted that change is in 58-61-304(1)(e) and will read:

have completed a minimum of 4,000 hours of psychology training as defined by division rule under Section 58-1-203 in not less than two years and under the supervision of a psychologist supervisor approved by the division in collaboration with the board, 2,000 hours of which are obtained after completion of a master's level of education in psychology and 2,000 hours of which shall be obtained before or after completion of the requirements for a doctoral degree in psychology;...

Ms. Taxin asked if most States require pre-doctoral hours and post-doctoral hours.

Dr. Klein responded that there is a wide range of variety among States requirements.

Dr. Klein stated that ASPPB is looking at changing the CPQ requirements which will require other States to look at requirement for licensure by endorsement.

She stated that APA is encouraging all States to adopt the proposed language into their specific Laws. She stated that there are lending companies who are willing to defer loans if jobs are taken in rural areas. New graduates who have completed their hours prior to the doctorate degree would apply for the Psychology license versus the Psychology Resident license to be approved to sit for the EPPP.

Dr. Wehl commented that people tend to settle where they complete their training. He stated that the new language would allow the new graduate to go to work out to rural areas and get their school loans deferred.

The other big obstacle is the transcript before approval of a resident license, approving for the EPPP and for psychology licensing.

Dr. Haas commented that there is an obstacle in immediately issuing a Psychology Resident license as some students are waiting up to 3 months for transcripts with the degree posted.

Ms. Taxin stated that the transcript issue has caused many difficulties for students and for the Division. She stated that the issue is not only for Psychology Residents but other professions as well. Ms. Taxin explained that a license was issued based on a letter stating an individual had completed all requirements but when it came time for transcripts to be submitted the individual was unable to obtain official transcripts as fines had not been paid. Ms. Taxin stated that she had to pull the license until the official transcripts were received. Ms. Taxin stated that she discussed the issue with Dave Geary, AG, who has given the directive that the official transcripts document full completion of all requirements and have the degree and date posted. She concluded that the AG's office has directed her to follow the guidelines as written in the Law and Rules.

Ms. Taxin stated that the Utah Law and Rule requirement is also an issue. She suggested the requirement be removed and the language be changed to read that an applicant must complete an examination as defined by rule. Ms. Taxin stated that the Board could then write a rule to require the Law and Rule examination if they think an examination is necessary.

Dr. Klein commented that she is not inclined to deal with a lot of additional issues at this time and would prefer to present the proposal with only the 2 word changes as relates to pre and post doctorate hours.

Dr. Wehl asked if he could address continuing education. He stated that there is nothing in the Law or Rules regarding on-line or DVD training. He stated that he is of the opinion that it would fall under the 6 hours of self study.

Ms. Taxin responded that she talked to Dr. Wehl on the telephone regarding the CE audit and when an audit comes in documenting the licensee has completed reading she does ask for information regarding what they read; i.e.: name of book or article. Ms. Taxin stated that she asked Dr. Wehl to explain the reading/self-study he completed for 6 hours of CE.

Dr. Wehl and Dr. Klein commented that the letter requested specific information.

Ms. Taxin read to the Board the letter that was sent to Dr. Wehl.

Ms. Taxin stated that the standard letter does request a narrative of the reading which she was unaware of but that she only requested Dr. Wehl to state what he read which he believed he should not have to provide. Ms. Taxin then stated that, of all the audits, Dr. Wehl was the only complaint and that all others audited provided information.

Dr. Klein responded that licensees have contacted her and Dr. Wehl with complaints regarding CE requirements and the standard is a study of the CE to take into account the new technology for study in Psychology. She stated that the licensee could document by the test they took or by the book or chapter they read. She stated that the Rule does not articulate that anything needs to be submitted.

Dr. Malovich stated that what she heard is that the internet and on-line CE is different than self study.

Dr. Haas asked if Dr. Wehl is asking if the Board is going to review the usefulness of CE. He stated that the Board knows the current requirements and the requirements need to be consistent.

Ms. Taxin responded that Dr. Klein and Dr. Wehl have stated that licensees have contacted them with complaints regarding CE requirements. Ms. Taxin stated that Dr. Wehl is the only Psychologist audited that she had a problem with on submitting documentation of his CE reading.

Dr. Klein stated that UPA is having a membership conference and she requested permission to schedule Ms. Taxin to conduct a presentation regarding licensing and CE requirements. Dr. Klein thanked Ms. Taxin for her willingness to try to break down barriers between DOPL and licensees.

Ms. Taxin responded that she and her staff spend a

lot of time trying to assist the Psychology Residents to get registered for the EPPP and Utah Law and Rules Examinations. She stated that our goal is for applicants to feel we are knowledgeable and willing to assist them.

11:15 A.M.

Rules Discussion

Ms. Taxin read Dr. Kathleen King's letter regarding clarification of CE to include a maximum of x number of hours per two year period to be recognized for attendance in peer supervision.

The Board requested further review and discussion at the next scheduled Board meeting.

DISCUSSION ITEMS:

Licensure Requirements for Psychology Resident

This item was discussed during Dr. Klein and Dr. Wehl's appointment.

Annual Board Member Training

Ms. Taxin conducted the annual Board member training. She distributed information on the Open and Public Meeting Act and the Structure of Licensing Board.

Ms. Taxin explained the 4 year term with the option to be reappointed for another 4 year term. Ms. Taxin covered the structure of licensing Board. She covered the requirements to close a meeting and to re-open the meeting. Ms. Taxin stated that a quorum of the Board must be present to conduct Board business of motions.

Ms. Taxin reviewed the responsibilities and Division expectations of a Board member. She stated that the number one responsibility is for the Board to protect the public. Ms. Taxin requested the Board to act fairly, effectively and efficient and not be too quick to judge. She stated that the Board should put their personal biases aside and should not come to a Board meet with personal agendas. She reminded Board members to be respectful of each other, the Division, any appointments and probationers. She requested the Board to be open to alternatives and be creative in each individual probationary circumstance.

Ms. Taxin requested Board members excuse themselves and leave the meeting if there is a personal

conflict with a probationer. She reminded the Board that Board business should not be discussed outside a Board meeting.

Ms. Taxin recommended Board members read and understand the Laws and Rules. She suggested they be professional and act with integrity, keep confidentiality and be good role models.

Ms. Taxin covered the Fire Escape areas and the procedure to follow if the Fire Alarm goes off during a Board meeting.

The Board thanked Ms. Taxin for the review.

CE Information Review

This item was covered during Dr. Klein and Dr. Wehl's appointment.

Review Information on Licensure and Legal Requirements for Psychologists

Ms. Taxin explained that this information is a survey she was asked to complete regarding on-line services. She stated that only 17 out of 50 people have responded to the survey. Ms. Taxin suggested discussion be deferred to a later date.

Dr. Haas recommended further discussion after the Law and Rule changes. He stated that on-line services is a big issue with many pros and cons on both sides. He stated that on-line services is all documented as it is all typed out as you are doing the services. Dr. Haas stated that he believes APA has an opinion on the issue.

Ms. Taxin responded that on-line services also have video available.

This item will be placed on a future agenda for further discussion.

CORRESPONDENCE:

ASPPB Correspondence

The Board reviewed the following ASPPB correspondence:

1. Nominations Committee Information. **Dr. Haas circled his recommendations for Ms. Taxin to present at the ASPPB meeting.**
2. 2006 Officer Candidates and Statements. **The Board noted the information.**

Psychology Magazine, Fall 2006

NEXT MEETING SCHEDULED FOR:

The Board reviewed the Fall 2006 Psychology Magazine. **No Board action was taken.**

Ms. Taxin informed the Board that the 2007 schedule has not yet been prepared. She asked the Board if they would like to continue to meet on Monday or if Tuesday would fit into their schedules better.

Ms. Buhler responded that the first Monday or Tuesday of the month is better for her schedule but would be able to adjust.

Other Board members responded that they are available on Mondays or Tuesdays.

Ms. Taxin stated that she and the Board Secretary will try to accommodate this Board.

Dr. Merryweather asked if another board meeting needs to be scheduled before January to review the proposed Law again. Dr. Merryweather asked if Ms. Taxin would request Dr. Klein to refer to the Law, 58-61-304 (1)(e) and consider changing the language regarding when the hours are to be obtained from “2000 hours of which shall be obtained after completion of the requirements for a doctoral degree in psychology” to read “2000 hours of which may be obtained before or after completion of the requirements for a doctoral degree in psychology;”...

Ms. Taxin responded that there is no need for another meeting as Dr. Klein commented that the Association was only interested in submitting the one change at the 2007 Legislative session. Ms. Taxin suggested that she contact Dr. Klein regarding the additional word change.

MEETING ADJOURNED AT:

12:50 P.M.

Date Approved

Chairperson, Utah Psychology Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing